

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

COMMONWEALTH OF PUERTO RICO and
the PUERTO RICO POLICE DEPARTMENT,

Defendants.

NO. 3:12-cv-2039 (GAG)

**INFORMATIVE MOTION REGARDING ORDERS AT ECF NO. 1593 AND NO. 1601
AND REQUEST FOR ORDER AND HEARING**

TO THE HON. GUSTAVO A. GELPÍ, CHIEF U.S. DISTRICT JUDGE:

NOW COMES, John Romero, in his capacity as Federal Police Monitor, who respectfully, through the General Counsel of the Federal Police Monitor's Office ("Monitor's Office"), states and prays as follows:

On October 5, 2020, the Court issued the following order:

The Court is aware that PRPB has recently provided to USDOJ, Monitor and Special Master a draft promotions policy for certain high ranking positions within the police ranks, to wit, inspector to coronel. Given that USDOJ, Monitor and Special Master need adequate time to responsibly review, comment and discuss with PRPB the draft promotions policy, the Court hereby ORDERS that no promotions are thus made until such time as all of the aforementioned are able to make the corresponding recommendation to the Court as to whether the promotions policy complies with the Reform Agreement. The Court advises that next week it will be holding a status conference (to be set) and this matter will be part of the agenda.

See ECF No. 1593.

As per the foregoing order, the Court then scheduled a status conference on October 16, 2020. In this hearing, the Court stated the following:

A discussion was held about the proposed/draft PRPB Promotions Policy for the ranks of inspector to coronel. The Court reminded all that, as per its recent order, and consistent with the Reform Agreement, no such promotions will be carried out until: PRPB, DSP and the Governor or her personal representative all agree to one

single policy; (2) USDJ, Monitor and Special Master all have adequate time to revise the same and comment on it. Moreover, (3) once approved, the promotions process itself will also be subject to monitoring to ensure compliance therewith. In sum, this is a process that, notwithstanding the need to make promotions, will indeed take time and cannot be rushed.

See ECF No. 1601.

Given that Hon. Wanda Vázquez, Governor of Puerto Rico, is scheduled to step out of office on January 2, 2021, the Federal Monitor respectfully requests that the Commonwealth of Puerto Rico provide the parties, the Special Master, and the Court, in the upcoming December 15, 2020 hearing, with a status and update regarding its compliance with the orders at ECF No. 1593 and ECF No. 1601. The Federal Monitor further moves for an order requiring defendants to produce an official certification that no promotions for the ranks of inspector to colonel have taken place or will take place until such time the defendants receive approval of a promotions protocol from the plaintiff, the Federal Monitor, and the Special Master, in accordance with the Court's orders (ECF No. 1593 and 1601).

WHEREFORE, the Federal Police Monitor, John Romero, respectfully requests that the Court take notice of the above and orders the Commonwealth of Puerto Rico to provide the parties, the special master, and the Court, in the upcoming December 15, 2020 hearing, with a status and update regarding its compliance with the orders at ECF No. 1593 and ECF No. 1601. The Federal Monitor further moves for an order requiring defendants to produce an official certification that no promotions for the ranks of inspector to colonel have taken place or will take place until such time the defendants receive approval of a promotions protocol from the plaintiff, the Federal Monitor, and the Special Master, in accordance with the Court's orders (ECF No. 1593 and 1601).

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 12th day of December 2020.

I HEREBY CERTIFY that on this same date a copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which in turn notifies all counsel of record in the case.

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